

The Times-Dispatch
DAILY—WEEKLY—SUNDAY

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WEDNESDAY, MARCH 25, 1908.

HABEAS CORPUS AND THE RATE
CASES.

Unlike litigants in established courts,
newspaper controversialists have no tri-
bunal which can and will give a de-
finite and binding decision. But for the
possible information which the public
may receive, therefore, The Times-Dispatch
would deprecate the prolongation of the
academic discussion which we are now
holding with the learned and subtle Lynch-
burg News. Apparently our Lynchburg
contemporary considers that Governor
Swanson and the Corporation Commission
both made serious errors in not de-
fying the order of Judge Pritchard in
the Virginia rate cases by getting one
or more State officials in jail, and
thereby forcing the United States Su-
preme Court to give the earliest pos-
sible decision on the question of the
right of the Corporation Commission to
declare a rate and on the reason-
ableness of the rate so declared.

In maintaining its position our ad-
mirable contemporary seems to us to
have fallen into some confusion of
thought. The Lynchburg News and
ourselves both agree that States cannot
be sued under the eleventh amend-
ment of the Constitution; that Legis-
latures in general, and so far as The
Times-Dispatch is concerned the State
Corporation Commission in particular,
have the right to declare rates on in-
trastate railroads. We presume the
Lynchburg News would even go so
far as to admit the doctrine now
thoroughly established by the deci-
sions of the United States Supreme
Court—namely, that in declaring rates
States may not make unreasonable re-
ductions.

This being so, what was the case in
Virginia? Was it not that the State
Corporation Commission declared a 2-
cent rate, that the railroads sought a
Federal injunction, that thereafter a
compromise was effected between the
railroads and the State whereby the
2-cent rate was put in force? Now, this
rate was not put in force as
effectually as if the railroads had
never contested the Corporation Com-
mission's decision, but it was provided
that the rate should remain in force
until October, 1908, and, if the case
was determined against the State, it
should remain in force until a new
case could be brought and tried be-
fore the Corporation Commission. Vir-
ginia, therefore, has gained and is
enjoying the 2-cent rate, and will con-
tinue to enjoy it for perhaps twelve
or eighteen months more without in-
terruption. The Corporation Com-
mission could have done no more.

In the meantime the complex ques-
tion of the constitutionality of the Cor-
poration Commission, the validity of
its findings and the judicial effect of
its hearings will all be determined de-
cently and in order by the Supreme
Court of the United States. Nor will
it be required that Mr. Henry C. Stuart
or Mr. Joseph E. Willard or Judge R.
R. Frensis, or all of them, go to jail
as common law-breakers, and remain
there until such time as the paper
could be prepared and bail granted.
Every point at issue, whether in law or
fact, will be satisfactorily determined
by the due and orderly administration of
law. The public will enjoy the reduction in
rates, and the State will be spared the
ignominy of having to set an example
of open violation of the law. What
more could Virginia have gained under
any other method? And would the
risk of having the whole law de-
clared unconstitutional and the impris-
onment and fine of our important offi-
cials have been a sufficient compensa-
tion for gaining a few months earlier
that legal opinion which will shortly
be given in any event? We think not.

they are not justified in destroying
competition by unfair underselling, or
by any of the infamous expedients
which have been used by heartless men
in combination or alone. So also of
labor. Collective bargaining is of
prime importance to many industries.
It has reduced the hours of labor, in-
creased the wages, and done away with
many of the perils of hazardous employ-
ment, but this does not justify the
laboring man in combining to boycott,
picket, blacklist and destroy those in-
dustries against which he has a grievance.

So far as the bill introduced by the
Civic Federation seeks to legalize com-
bination, whether of labor or capital,
while at the same time declaring
against the illegal use of the power
so obtained, it will prove a long step
forward in the establishment of a
truer basis for mutual understanding
and assistance between capital and
labor. With the growth of this repub-
lic we have seen an enormous expan-
sion in every field of industry. It is not
to be believed that the same principles
which made it profitable to unite un-
der one management the two roads
between Richmond and Washington,
for example, would not be applicable
to a system stretching between the
two oceans. The sole interest the pub-
lic has consists in seeing that the
power so acquired is not used for un-
just and extortionate charges, inferior
service or unfair competition. So also
the same principle that would make
two men combine in a labor union for
their mutual benefit and advantage
should legally be permissible for two
million men, but the welfare of even a
single individual should be sustained
and enforced with all the power of the
courts of the land should any combina-
tion of labor, no matter how great,
seek to intimidate or destroy that
individual.

In its main features the new bill is
an excellent measure. It does not re-
strict the ownership of power, but only
its unlawful use.

THE NEW HIGH SCHOOL.

After a long and hard-fought cam-
paign, the much needed High School
for Richmond has been begun. The
ground was broken yesterday in the
presence of perhaps 1,200 people, most
of whom were themselves pupils of the
High School.

Though no elaborate ceremonies were
used, the occasion was one of great
significance for the whole city. A
new High School building will mean
a higher character of work than has
heretofore been possible. It will mean
a larger view of education and a
broader and better chance for the
children who attend the public schools.
There is no function which the State
performs which is more important than
the education of the young, and it is
an axiom that with all the willingness
on earth children cannot be success-
fully trained unless proper appliances
are used.

The Times-Dispatch congratulates
the city of Richmond, the School Board
and, most of all, the children, on the
prospect of a speedy completion of a
High School that is commensurate with
the dignity and importance of this
city.

WARD WAILINGS AGAIN.

With each recurrent budget comes
the howl from various wards that logs
have been rolled and triggers set to
their great damage by dividing the
street funds along some plan which had
not been thoroughly agreed upon by
all the members. The wonder is that
the roar of disapproval does not go up
oftener and from more throats than
those of the disgruntled members of
the Council. If the citizens would only
stop to think, every one is interested
in this problem, and the best interest
of all will never be served until the
ward system is definitely abandoned.
The amount of money that has been
wasted through the ward system in the
past is very great, and unfortunately
can never be recovered, but at least
the city of Richmond can learn by er-
rors of other days, and can do away
with conditions which have proved
obsolete. The ward system must go,
and when it does this city will be at
least in the way of receiving a better
administration of its resources than is
possible at present. The only way to
satisfactorily administer the funds
available for streets of this city is to
have a definite plan prepared by the
City Engineer's Department, and then
turn over to that department all avail-
able funds for this purpose. There has
been entirely too much in the past of
curbing, gutting and paving at odd
spots for the benefit of individuals and
without reference to the best welfare
of the city as a whole.

The little star-eyed bond of Rich-
mond fast persistently during the first
days of the year, but their absence
of the rare spiritual quality of their
angelic beauty. How different a
thing is Lent among the hazy, hot
haridoms of Hottentotia!

The celebrated Birnberg, "The Button
Man," renowned prognosticator of poli-
tics, says that Roosevelt will be
nominated and Bryan will not. The
two gentlemen are therefore warned
to act accordingly.

Probably William Dean Howells, who
explained the entire American political
situation to the King of Italy during
an hour's visit, could save Philander
Knox a whole lot of useless bother
between now and next June.

It is to be hoped that the reported
"discovery" that George Washington
was a Dane will be promptly quashed
out of court. If George was a Dane,
he was certainly a great Dane, and
that sounds dogged mean to us.

The Paragraphers' Union is challeng-
ing to refute our claim that the mid-
dle of Royal Richmond now contains more
John D. Rockefeller than all other
midlands in the Western Hemisphere
combined.

We are gratified to be able to inform
our readers that Prince de Saxe is
either in this country, or in Europe,
while admitting the bare possibility
that he may be betwixt and between.

The Waterbury (N. Y.) Times, which
mentions things that have happened

"since Richmond went dry" is hereby
allowed to come into play. More
guesses. Barring a few minor restric-
tions, all Richmond remains as un-
doubtedly as ever. The local corker
market is perfectly normal, and not
a demijohn has been sold here for
seven years.

The Washington Herald shortlimer
helplessly declares that the feminine
paragrapher is "whatever she says
it is." How married life does break
a man's spirit!

A Washington dispatch asserts that
"Mr. Roosevelt is annoyed by the third-
term talk." We shall credit this report
the minute Mr. Roosevelt discharges
his chief.

A Los Angeles girl has been asleep
for six weeks and cannot be aroused.
Details are lacking, but we assume that
she is a Democrat.

Fortunately for the mortality statis-
tics of Washington, D. C., most Con-
gressmen wear their armor plate plen-
tily high enough.

The Alabama Mayor who has petti-
tiously refused to allow any one to
will doubtless find that the ayes have
it.

But very likely the Supreme Court's
ruling only confirmed Governor Glenn's
opinion of Judge Pritchard.

In getting a Smith for a Whyte, the
Senate roster will suffer a distinct
slump in allostereity.

The black republic seems to be a
very Hating kind of place, anyway.

What is a Korean doing with patriot-
ism, anyway?

VIRGINIA PRESS ON NIGHT-RIDERS.

Governor Swanson Will Act.

Gratification must necessarily come to
Virginians from the same and con-
servative report from Danville, re-
garding a sensational story about the
steps of "night-riders" against tobacco
growers, that there is, in fact, no founda-
tion for the alarming tale. The flash-
light of the land Saturday. In another
column we reprint an editorial from the
Danville Register, which is in pos-
sition to know the conditions. Vir-
ginia is not the home for such lawless
marauding as has been keeping Ken-
tucky farmers in fear and trembling.
Were such an outbreak to occur, how-
ever, we are certain that Governor
Swanson would not wait for a second
day or even a first day until he would
act with a vigor that would quell
such a disturbance. We believe that
he would so act at once that any fur-
ther intimation of the farmers by
lawless action would be stopped on the
instant. Virginians will not permit
such outbursts.—Roanoke Evening
World.

Call Our Militia.

The tobacco trust is no doubt as
black as it has been painted, but this
does not justify the tobacco planters in
making war on the trust. They may
call it fighting the devil with fire,
but even this is not good policy, for
to use the language of a well known
American, the devil does not have to
buy his coal from the coal trust. We
should be some effort made to get the
warring factions together and thus
bring to an end the work of the night-
riders, the anarchists and the mid-
night assassins. If lawlessness is to
prevail in the country, then the life of
no man is safe, and surely the people
of Virginia are averse to a condition
like this prevailing in their midst. If
anything like night-riding is attempt-
ed, the militia should be called out
and will use the entire militia force to
quell it, so that it will be wiped in the
bud in the outset.—Clifton Forge Review.

No Anarchy in Virginia.

Virginia cannot afford to wink at
anarchy. She has ever been the home
of God-fearing, law-abiding people who
know how to fight with arms, and
protect themselves without resort to
the methods of the incendiary and the
assassin.

The first raid by night-riders in Vir-
ginia should be sufficient reason for
the mailed fist of the government to
bring down with crushing force
upon the lawless who would enforce
mandates of their own making upon
free citizens of Virginia by threats and
violence.

Conspiracy of the kind embodied in
the whole diabolical idea of "night-
riding" should be punished with the
utmost severity allowed under the laws
for the protection of peaceful men and
women who mind their own affairs and
do not attempt to regulate those of
their neighbors.—Northwest Star.

Give Them the Cold Lead.

There have been some written
threats, puny ones, we trust, over in
the tobacco district, and Danvers has
put into effect some of the night-riding
practices so in vogue in Kentucky.
The kind to happen in Virginia, but
if it should, we are very much in hope
that Gating guns may be discharged
into the first gang on their very first
raid. That would be the end of it.
We are quite sure. Marauders of this
character are arrant cowards and op-
erate only when they feel that resist-
ance is hopeless. We feel quite sure
also that the Governor will not delay
a moment when the crisis comes. Kill
the first dragon and there will be
no more to kill.—Staunton Dispatch.

The Immortal.

Since my soul and I are friends,
I go hand in hand on road or
Whether up or down it tends
I have never felt my load.

For the winds keep tryst with me,
And the stars share in my joy;
Meadow, hill or sky or sea,
I create and I destroy.

Hope or fear or bliss or woe
Flits a shadow on the sod;
Life and death are transient things,
Underneath them all, God.

Smaller than the smallest part,
Larger than the largest whole;
One in the divided heart,
And the Universal Soul.

Neither curse nor creed I know,
Doubts that darken faiths that shine;
Time and space are empty show,
All that ever was is mine.

Silent, deathless, centred fast,
Ancient, uncreated, free,
I came not to birth at last,
Unverses are of me.

—Ellen Glasgow, in Harper's Maga-
zine.

Livers Exchanged

If the active liver of the
cod-fish could be put into
the place of the torpid liver
of the consumptive it would
probably do him a world
of good. Next best thing is

Scott's Emulsion

of Cod Liver Oil. Almost
as good as a new liver.
The great power of SCOTT'S
EMULSION as a flesh-pro-
ducer proves that much of
the activity of the cod's
liver is contained in every
spoonful.

All Druggists, 50c. and \$1.00.

Rhymes for To-Day.

**MY MATRIMONIAL ADVENTURE IN
SANTA FE.**

I knew a girl in Santa Fe
Who loved me well, it seems;
For every time I went away,
She wrote me poems and dreams.

The first she wrote was very bad,
Her style was full of strings,
Her thoughts were few, her ink was
red—
I never read the things.

But still they came—a cwt.
Each day and often more;
And I would pile them in the grate
And blow them with the blower.

They put three postmen on the beat
For six weeks, and then I found
That this device quite failed to meet
The business that she made.

In vain I changed my street address
And gave my name as Krupp;
For hardly had I moved—ah, yes—
Her agents looked me up.

'Twas idle for me to demur
And write: "Please desist."
I knew a girl in Santa Fe,
With such a simple writ.

The letters poured on in a hail—
Until I gave up all my time;
I stumbled over across my mail
And hid for Santa Fe.

Said I: "You have a pretty wit,
But, lass, I've got my fill—
I'll marry you, if you'll just quit
Quoth she: "Why, sure I will."

H. S. H.

SERMONS BY THE PARAGRAPHERS.

A New York usurer has been sent to jail
for ten days. During that time he can
hardly be expected to take any interest
in his business.—Washington Post.

In order to aid the cause of scientific
research, we have at great cost ascertained
that no Houston woman walks by a show
window with a trimmed hat in it at a
faster than 200 yards a day.—Houston Post.

"Some people get up with a song, others
with a headache," says the Birmingham
Age-Herald. Curiously enough, too, the lat-
ter is generally the one who goes
to bed with the song.—Washington Herald.

An army post out West mailed the first
flag to a mule. While the
army is at the present low ebb the loss of
a working member is felt.—Philadelphia
Public Ledger.

The New Jersey dog that went six miles
for a doctor did very well for a dog, but
while in the business of knocking out the
doctor he was generally the one who
was writing the prescription himself.—Phila-
delphia Public Ledger.

Ignatius J. Dunn, of Omaha, nominates
Bryan at Denver. This is the only part
of his campaign that Bryan has left for
anybody else to do in the Democratic party.
—Philadelphia Press.

The Board of Trade of Emporia, Kan., is
offering a prize of \$100 for "the best thing
about Emporia in more than ten words."
It can be done. Mr. and Mrs. William
Allen White. . . . Which is the easiest
\$100 we have made in a long time.—New
York Mail.

Voice of the People.

The Times-Dispatch will print
signed letters on questions which
relate to the public welfare. Such
articles should not exceed in length
150 words, except under exceptional
circumstances. The name of the
writer, with the full name of the writer,
and should bear his or her address.
The name of the writer will be
withheld if desired.

Daniel Can Be Trusted.

Editor of The Times-Dispatch:

Sir,—The writer has always been
a great admirer of Senator John W.
Daniel. In my earliest recollection
as a voter, he impressed me as a brave
and fearless leader of the party which
he represented. A few years after the
Civil War, at a time when our State
was under the control of the black
Republican party, John W. Daniel, hav-
ing left the battlefield with a wound,
came back to the State and, in the bosom
of the men who supported him and De-
mocracy in the days gone by. No
doubt a great many of the Senator's
admirers can recall the impressions
made upon them after seeing one of
our rule and ruin. I remember one
occasion especially, when he spoke in
our town, after making one of his
great orations, the young men of the
audience became so enthused that
they rushed upon the platform and
took him in their arms. I am sure
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